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SUBJECT: UNAMI SRSG QAZI DISCUSSES ARTICLE 140, KIRKUK, AND
OTHER ISSUES

Classified By: Ambassador Ryan C. Crocker for reasons 1.4 (b) and (d).

11. (C) Summary: Special Representative to the Secretary General (SRSG) Ashraf Qazi for the United Nations Assistance Mission for Iraq (UNAMI) stated in a June 4 meeting with the Ambassador that, because of Kurd inaction, an Article 140 referendum on the status of Kirkuk was no longer technically feasible by November. Having painted themselves into a corner, the Kurds are now looking for a face saving way to delay the referendum, said Qazi. The Ambassador suggested that an offer of UN involvement might provide the Kurds with a publicly palatable reason for delay. End Summary.

ARTICLE 140 AND KIRKUK

12. (C) SRSG Qazi stated that Kurdish Regional Government (KRG) President Massoud Barzani (Kurdistan Alliance List - Kurdistan Democratic Party) is "between a rock and a hard place," because a straight Article 140 referendum is no longer possible. The Kurds have not invested either the time or political capital on any of the prerequisites for a successful referendum, such as defining the political question to be answered, the granularity of the referendum (provincial wide or district by district), or the boundaries to be used, he said. In fact, Qazi pointed out that holding provincial wide referenda using current boundaries, as Barzani recently stated publicly, would result in the counter-intuitive result of having several Kurdish districts that are effectively part of the KRG revert to being minority districts in a non-Kurdish province. To obtain the result they want, the Kurds would need to pursue district by district referenda, which are now technically impossible given the time remaining, and even then the Kurdish desired result could not be guaranteed.

13. (C) Qazi asserted that the delicacy of the political questions at hand will make it impossible for the Council of Representatives to pass the required Article 140 referendum legislation in time to hold a November referendum. "The Kurds have painted themselves into a corner," stated Qazi, "and now they want Maliki to set the referendum boundaries by decree, like Saddam did." The Ambassador confirmed that it is unrealistic for the Kurds to seek decrees to set any part of the criteria for the referendum. Qazi stated that, for these reasons, Barzani hinted to him that he is willing to delay the referendum, if it can be blamed on technical or international reasons, which would allow him to save face. The question, said Qazi, is in what sequence the political leaders should be engaged to engineer this delay. The Ambassador stated that we should begin with Talabani, then Barzani, before approaching Prime Minister Maliki.

14. (C) Qazi stated that a UNAMI role in resolving Article 140 could only occur if both the GOI and the Government of Kurdistan invited UN participation. When the Ambassador

asked if Qazi had raised the issue with PM Maliki, Qazi responded that he had not. The Ambassador pointed out that Barzani's comments to Qazi suggested a willingness to accept UN involvement as a way to save face for any delay. In preparation for an upcoming meeting with Barzani, the Ambassador asked Qazi to put down on paper UNAMI's informal ideas on how to handle the Kirkuk referendum. If the meetings in Irbil are successful, said the Ambassador, the UN role could then be raised with PM Maliki.

Summit Working Groups

15. (C) The Ambassador asked Qazi if there had been any progress with the working groups that were created at the recent Sharm El-Sheikh Neighbor's Conference. Qazi said the Turks agreed on the dates of June 14-15 for their energy working group, the Jordanians had agreed in principle but not yet set a date for their refugee working group, and the Syrians had linked their working group on security issues to the release of two recent Syrian detainees. The Ambassador suggested that this would only encourage the GOI to wonder why these detainees were so important and cause them to investigate them more thoroughly. Qazi and the Ambassador agreed that Syria needed to de-link their security working group from these types of unpredictable tactical issues, or the working group would meet so sporadically as to be ineffective. (Note: In a subsequent conversation with the DCM, Zebari emphasized that there was no Syrian "linkage" between the detainees and hosting the working group, but he acknowledged that solving the issue quickly would facilitate the process. End note.)

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UNAMI Quarterly Report

16. (SBU) Qazi said the UNAMI quarterly report was due July 14, and he would most likely travel to New York to make the presentation himself. He asked if it would be useful for him to make a side trip to Washington D.C. The Ambassador said we would be glad to review any proposed dates.

UNAMI Staffing

17. (SBU) Qazi explained that although there had been some delays in shipping building materials, the first phase of hardened overhead cover should be completed in a couple of weeks. Once this is accomplished, he anticipates authorization from New York to raise the staffing limit. The Ambassador emphasized that UN involvement in Iraq is important and a high priority for us, and we look forward to their increased staffing.

UNAMI Mandate

18. (C) Qazi suggested that there were two approaches to revising the UNAMI mandate. The first approach would be similar in style to the existing mandate, which focused on events. In this case, new current events are needed to replace existing obsolete events. The second approach would be to focus on a more general UNAMI role facilitating national reconciliation. Qazi did not elaborate any additional detail on this second approach.

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